



**Weber County**

## Notice of Non-Buildable Parcel

E# 3306006 PG 1 OF 4

LEANN H KILTS, WEBER CTY. RECORDER  
21-NOV-23 12:31 PM FEE \$3.00 THU  
REC FOR: WEBER COUNTY PLANNING

DATE: November 21, 2023

Re: Property identified as Parcel # 22-040-0037

Legal Description: See attached Exhibit "A"



\*W3306006\*

To whom it may concern,

The land with Parcel Number 22-040-0037 is currently zoned Agricultural (AV-3) which allows for a variety of uses, including a single-family dwelling, when located on a "Lot of Record" as defined in Title 101 of the Weber County Land Use Code (LUC). The subject parcel is not a "Lot of Record" because it does not meet any of the circumstances listed in LUC§101-2-13 **Lot Definitions**, as listed low:

*Lot of record. A lot of record is defined as any one of the following circumstances:*

- a) *A parcel of real property identified as a building lot on an unrecorded subdivision plat that has been approved by Weber County and is on file in the Weber County Planning Office; or*
- b) *A parcel of real property identified as a building lot on a subdivision plat that has been approved by Weber County and recorded in the office of the Weber County Recorder; or*
- c) *A parcel or lot described in a deed, sales contract or survey that was recorded in the office of the Weber County Recorder before January 1, 1966; or*
- d) *A parcel or lot described in a deed, sales contract or survey that was recorded in the office of the Weber County Recorder on or before December 31, 1992, which complied with the zoning requirements in effect on the same date; or*
- e) *A parcel or lot that was created in its current size and configuration and contained a lawfully permitted single family dwelling prior to July 1, 1992; or*
- f) *A parcel of real property that contains at least 100 acres; or*
- g) *A parcel/lot that does not fall within any one of the previously listed circumstances but has received a variance from the Weber County Board of Adjustment which has otherwise deemed a particular parcel/lot as a lot of record; or*
- h) *A reconfigured parcel or lot that met any one of (a) through (g) of this definition prior to its reconfiguration, as long as:*
  - 1) *The reconfiguration did not make the parcel or lot more nonconforming;*
  - 2) *No new lot or parcel was created; and*
  - 3) *All affected property was outside of a platted subdivision.*

The Weber County Planning Division cannot issue a Land Use Permit to develop this parcel until the parcel meets one of the above described circumstances.

This letter addresses the legal status of the parcel and the findings provided are based upon the parcel's conformance with the Weber County Land Use Code as described above. The site has not been inspected to ensure that existing uses are allowed and existing structures meet required yard setbacks. These factors can affect a land owner's ability to obtain a Land Use Permit and Building Permit. There may also be additional requirements that need to be met prior to the issuance of future permits.



**Weber County**

Dated this 21 day of November 2023

Planner  
Weber County Planning Division

STATE OF UTAH)  
:SS  
COUNTY OF WEBER)

On this 21 day of November 2023, personally appeared before me, Steve Burton, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

Notary Public  
Residing at:





## Weber County

### Exhibit "A"

Parcel # 22-040-0037

PART OF THE NORTHEAST QUARTER OF SECTION 33, PART OF THE NORTHWEST QUARTER OF SECTION 34, PART OF THE SOUTHEAST QUARTER OF SECTION 28, AND PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN: BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION 33 WHICH IS 110.00 FEET NORTH 89D22'45" WEST ALONG SAID SECTION LINE FROM THE NORTHEAST CORNER OF SECTION 33, RUNNING THENCE NORTH 0D31'13" EAST 683.90 FEET TO A CENTERLINE OF A CANAL; THENCE ALONG THE CENTER OF A CANAL THE FOLLOWING NINE (9) COURSES: (1) SOUTH 40D31'00" EAST 115.30 FEET, (2) SOUTH 10D57'00" EAST 79.14 FEET, (3) SOUTH 25D07'00" WEST 94.13 FEET, (4) SOUTH 26D32'00" EAST 142.54 FEET, (5) SOUTH 53D09'00" EAST 54.00 FEET, (6) SOUTH 89D31'00" EAST 80.80 FEET, (7) SOUTH 46D15'00" EAST 100.14 FEET, (8) SOUTH 7D49'00" EAST 159.24 FEET AND (9) SOUTH 6D04'39" WEST 164.53 FEET; THENCE SOUTH 1D56'52" WEST 54.28 FEET TO THE NORTH LINE OF KIMBERS SUBDIVISIONS; THENCE SOUTH 81D27'25" WEST ALONG SAID NORTH LINE 212.32 FEET TO THE WEST LINE OF SECTION 34 AND WEST LINE OF SAID KIMBERS SUBDIVISION; THENCE SOUTH 0D22'55" WEST ALONG SAID WEST LINES 306.41 FEET; THENCE SOUTH 79D54'11" WEST 417.23 FEET; THENCE NORTH 69D49'04" WEST 493.43 FEET; THENCE NORTH 0D18'20" EAST 421.32 FEET TO SAID NORTH LINE OF SECTION 33; THENCE SOUTH 89D22'45" EAST ALONG SAID NORTH LINE 765.10 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPTING: A BEGINNING AT THE NORTHMOSE CORNER OF KIMBERS SUBDIVISION, RECORDED AS E# 1353660 IN BOOK 40 AT PAGE 22 IN THE OFFICE OF THE WEBER COUNTY RECORDER, SAID POINT LIES SOUTH 89D35'03" EAST 208.621 FEET ALONG THE SECTION LINE AND SOUTH 169.464 FEET FROM THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 7 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN AND RUNNING THENCE ALONG SAID KIMBERS SUBDIVISION THE FOLLOWING (2) COURSES: 1) SOUTH 81D27'25" WEST 212.320 FEET; 2) SOUTH 0D22'55" WEST 306.410 FEET, THENCE SOUTH 79D54'11" WEST 128.141 FEET, THENCE NORTH 0D22'55" EAST 292.378 FEET, THENCE SOUTH 89D56'34" WEST 33.393 FEET, THENCE NORTH 215.793 FEET, THENCE SOUTH 89D22'45" EAST 75.774 FEET, THENCE NORTH 0D31'13" EAST 325.000 FEET, THENCE SOUTH 89D31'00" EAST 101.354 FEET TO THE CENTERLINE OF A CANAL, THENCE ALONG SAID CANAL THE FOLLOWING (5) COURSES: 1) SOUTH 53D09'00" EAST 42.500 FEET 2) SOUTH 89D31'00" EAST 80.800 FEET 3) SOUTH 46D15'00" EAST 100.140 FEET 4) SOUTH 07D49'00" EAST 159.240 FEET 5) SOUTH 06D04'39" WEST 164.530 FEET, THENCE SOUTH 01D56'52" WEST 54.280 FEET TO THE POINT OF BEGINNING. PROPERTY CONTAINS 4.469 ACRES. [NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAIN AN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WAS CALCULATED BY THE RECORDERS OFFICE FOR TAX PURPOSES.]



# Weber County

## Exhibit B (Research)

This image shows the previous parcel number before the property was subdivided in 2021.



This image shows the parcel after the illegal division in 2021.

